

# Wisconsin Ethics Commission

## *For legislators and legislative candidates*

### Campaign Fundraising

This Guideline is provided as an information resource only. For authoritative advice, contact the Wisconsin Ethics Commission.

**Times during which fundraising is permitted.** State statutes do not limit the time period during which campaign fundraising may occur, once the individual has registered a campaign committee with the Board. Rules or policies of the Assembly or Senate may limit the time during which fundraising activities are permitted for an incumbent of either house; consult the Chief Clerk of each house for specific restrictions.

#### **Soliciting a lobbyist or lobbying principal for a contribution.**

*For a personal contribution to a legislative candidate.* State statutes limit when a member of, or candidate for, the Legislature may solicit a personal contribution from a lobbyist. A legislator or candidate for the Legislature may solicit a lobbyist for a personal contribution **only between the date when candidates can begin to circulate nomination papers (April 15 for the general election) and the date of the election in the year of the candidate's election.** This solicitation “window” may be delayed because it does not open for a legislative candidate or current legislator until after the Legislature concludes its final floor period (as determined by joint resolution of the Legislature). The “window” for a legislative candidate closes during any time that the Legislature is in a special or extraordinary session.

The restriction on soliciting applies whether a legislator or legislative candidate is soliciting a personal contribution for the candidate's own campaign committee or for another candidate or committee. The restriction also applies to soliciting using another individual who is acting for, in cooperation with, and at the behest of the candidate.

*For a PAC, conduit, or other contribution to a legislative candidate.* There is no limitation on when a legislator or legislative candidate may solicit a lobbyist for a PAC, conduit or other contribution.

**Accepting a contribution from a lobbyist or principal.** A legislator or legislative candidate may accept a contribution from a lobbyist or lobbying principal only during the time period permitted for soliciting a lobbyist or principal for that contribution. Moreover, a legislator or legislative candidate may accept a contribution from a lobbying principal only if it is an unincorporated organization – i.e., not a corporation. The restrictions apply to both monetary and in-kind contributions. This means:

- A legislator or legislative candidate may accept a PAC, conduit, or other non-personal contribution delivered by a lobbyist at any time and
- A legislator or legislative candidate may accept a personal contribution from a lobbyist only during the “window.”

**Accepting a contribution from a Political Action Committee (PAC).** The restrictions under the lobbying law apply only to a lobbying principal itself – not to a PAC, even if it is a principal’s PAC. A legislator or legislative candidate may solicit and accept a PAC contribution at any time, except as otherwise restricted by a rule or policy of the Legislature.

**Types of persons from whom a legislator or legislative candidate may accept a contribution.** A legislator or legislative candidate may accept a contribution from any individual (either directly or through a conduit), a political party, or a political action committee (PAC). A legislator or legislative candidate may not accept a contribution from any association, corporation, union, or American Indian tribe but may accept a contribution from such an organization’s PAC.

**What is a solicitation?** A solicitation can be oral, written, or electronic. We recommend that a solicitation sent to a lobbyist outside the “window” should contain a disclaimer that it is not a solicitation for a personal contribution from the lobbyist.

**Limitations on how much a legislator or legislative candidate may accept.** A member of, or candidate for, the Assembly may accept up to \$1,000 from a single individual during any two-year period, beginning when the current officeholder began her or his term, and ending when the next officeholder is sworn in. A member of, or candidate for, the Senate may accept up to \$2,000 from a single individual during any four-year period beginning when the current officeholder began her or his term, and ending when the next officeholder is sworn in. The maximum aggregate contribution from a single PAC is also \$1,000 for Assembly candidates and \$2,000 for Senate candidates.

There is no limit on how much an individual may contribute to his or her own campaign committee.

Exceptions to these contribution limits or time periods may apply when a candidate is subject to a recount or recall election, or runs for election to another office.

**Legal references:** §§11.1101 and 13.625, *Wisconsin Statutes*; *Plumbers and Gas Fitters Local 75 Political Action fund, et al. v. State of Wisconsin Ethics Board*, Dane County Circuit Court, 93-CV-3984 (February 23, 1994), *aff’d*, District IV Court of Appeals, 94-0826 (May 19, 1995), *rev. den.*, Supreme Court, 94-0826 (September 27, 1995).